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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,560	05/15/2001	Hans Berger	66376-252-7	8137

25269 7590 05/18/2004

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WASHINGTON, DC 20005

EXAMINER
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HARLE, JENNIFER I

ART UNIT	PAPER NUMBER
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3627

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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EXAMINER
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ART UNIT	PAPER
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DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

Enclosed please find a 37 C.F.R. 1.105 - Requirement for Information. Please note the reply period is set for 2 months.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer I. Harle whose telephone number is 703.306.2906. The examiner can normally be reached on Monday through Thursday, 6:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 703.308.5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Jennifer Ione Harle

**ROBERT P. OLSZEWSKI**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**

## 37 CFR § 1.105 - Requirement for Information

Applicants and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of this application.

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The information is required to extend the domain of search for prior art. Limited amounts of art related to the claimed subject matter analyzers are available within the Office, and are generally found in very limited quantity in classes 436/50 and 422/67 and certain parts are found in class 705, which describe inventory management. A broader range of art to search is necessary to establish the level of knowledge of those of ordinary skill in the claimed subject matter art of analyzers/analyzing systems that automate collection/management of materials and/or supplies for their use, i.e. in order to facilitate their management for expiration, replacement, repair, etc.

The information is required to enter in the record the art suggested by the applicant as relevant to this examination in (Applicant's European Search Report).

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In response to this requirement, please provide a list of keywords that are particularly helpful in locating publications related to the disclosed art of analyzers/analyzing systems that automate collection/management of materials and/or supplies for their use, i.e. in order to facilitate their management for expiration, replacement, repair, etc.

In response to this requirement, please provide a list of citations to electronically searchable databases or other indexed collections containing publications that document the knowledge within the disclosed art of analyzers/analyzing systems that automate collection/management of materials and/or supplies for their use, i.e. in order to facilitate their management for expiration, replacement, repair, etc.

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In response to this requirement, please provide the citation and a copy of each publication which any of the applicants authored or co-authored and which describe the disclosed subject matter of analyzers/analyzing systems and any automation or semi-automation of the management of materials and/or supplies.

In response to this requirement, please provide the citation and copy of each publication that is a source used for the description of the prior art in the disclosure. For each publication, please provide a concise explanation of that publication's contribution to the description of the prior art.

In response to this requirement, please provide the citation and a copy of each publication that any of the applicants relied upon to develop the disclosed subject matter that describes the applicant's invention, particularly as to analyzers/analyzing systems that automate collection/management of materials and/or supplies for their use, i.e. in order to facilitate their management for expiration, replacement, repair, etc. For each publication, please provide a concise explanation of the reliance placed on that publication in the development of the disclosed subject matter.

In response to this requirement, please provide the citation and a copy of each publication that any of the applicants relied upon to draft the claimed subject matter. For each publication, please provide a concise explanation of the reliance placed on that publication in distinguishing the claimed subject matter from the prior art.

In response to this requirement, please provide the names of any products or services that have incorporated the claimed subject matter. any form of automation of the management/collection of materials and or supplies of an analyzer/analyzing system and the ability to automate data recordation of the material and/or supplies re type and life span and quantities, entering or calculating a frequency of analysis and utilization of the data and frequency of analysis to calculate materials and/or supplies required based on time and ordering them in some automated fashion based on that calculation (could be a reminder to phone it in), e.g. or a Blood Analyzer by MedCon: VG. Nova Biomedical model Stat profile plus 9, which has a main menu that contains operation, maintenance, service and set-up, where the screen shots are from 1994 (<http://www.pemed.com/lab/labanalz/labanalz.htm>). Also provide any product literature and the dates of the features if known.

In response to this requirement, please provide the names of any products or services that have incorporated the disclosed prior art, a modular analyzer such, as any form of automation of the management/collection of materials and or supplies of an analyzer/analyzing system and the ability to automate data recordation of the material and/or supplies re type and life span and quantities, entering or calculating a frequency of analysis and utilization of the data and frequency of analysis to calculate materials and/or supplies required based on time and ordering them in some automated fashion based on that calculation (could be a reminder to phone it in), ALV OMNI as appears in the prior art section and the dates that these features were first incorporated or any analyzer that. Also provide any product

literature and the dates of the features if known. The examiner notes that the ALV OMNI appears now to be a product of the assignee.

In response to this requirement, please state whether any search of prior art was performed. If a search was performed, please state the citation for each prior art collection searched. If any art retrieved from the search was considered relevant to demonstrating the knowledge of a person having ordinary skill in the art to the disclosed (analyzers/analyzing systems that automate collection/management of materials and/or supplies for their use, i.e. in order to facilitate their management for expiration, replacement, repair, etc.) please provide the citation for each piece of art considered and a copy of the art.

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The fee and certification requirements of 37 C.F.R. § 1.97 are waived for those documents submitted in reply to this requirement. This waiver extends only to those documents within the scope of this requirement under 37 C.F.R. § 1.105 that are included in the applicant's first complete communication responding to this requirement. Any supplemental replies subsequent to the first communication responding to this requirement and any information disclosures beyond the scope of this requirement under 37 C.F.R. § 1.105 are subject to the fee and certification requirements of 37 C.F.R. § 1.97.

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The applicant is reminded that the reply to this requirement must be made with candor and good faith under 37 CFR 1.56. Where the applicant does not have or cannot readily obtain an item of required information, a statement that the item is unknown or cannot be readily obtained will be accepted as a complete response to the requirement for that item.

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This requirement is subject to the provisions of 37 C.F.R. §§ 1.134, 1.135 and 1.136 and has a shortened statutory period of 2 months. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

The period for reply is ordinarily set for 2 months.

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